

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AGERE SYSTEMS, INC., CYTEC
INDUSTRIES, INC., FORD MOTOR
COMPANY, SPS TECHNOLOGIES, LLC
and TI GROUP AUTOMOTIVE LLC,

Plaintiffs,

v.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants.

Civil Action No. 02-3830 (LDD)

**ORDER REGARDING DIAZ
CHEMICAL “ORPHAN SHARE”**

THIS MATTER having been opened to this Court upon the motion of Defendant Advanced Environmental Technology Corporation (“AETC”), upon notice to Ballard Spahr Andrews & Ingersoll, LLP, attorneys for Plaintiffs, and all Defense Counsel of Record, for an order requiring the equitable allocation of the Diaz Chemical “orphan share” among all Plaintiffs and Defendants in the above-captioned action; and this Court having reviewed and considered the papers submitted by the parties, and oral argument (if any), and for good cause shown,

IT IS on this _____ day of _____, 2007

ORDERED and ADJUDGED as follows:

1. The Court finds that Defendant Diaz Chemical is defunct and insolvent and there is no affiliate of Diaz Chemical responsible to pay response costs at the Boarhead Farms Site. Therefore, the Diaz Chemical share of response costs at the Boarhead Farms Site is an “orphan share.”

2. The Diaz Chemical “orphan share” shall be equitably allocated among all the Plaintiffs and Defendants in the above-captioned action.

3. A copy of this Order shall be served upon all counsel within ____ days of receipt by Wolff & Samson PC.

HON. LEGROME D. DAVIS, U.S.D.J.